

**REPORT SUMMARY**

|   |   |  |             |
|---|---|--|-------------|
| <b>REFERENCE NO - 15/510186/FULL</b>  |   |  |             |
| <b>APPLICATION PROPOSAL</b><br>Development of site to accommodate 185 dwellings, together with associated access road (including reconfiguration of Pile Lane), car parking, landscaping and open space.  |   |  |             |
| <b>ADDRESS</b> Land At Fishers Farm Fishers Road Staplehurst Kent   |   |  |             |
| <b>RECOMMENDATION</b> DELEGATED POWERS TO APPROVE SUBJECT TO CONDITIONS AND A LEGAL AGREEMENT   |   |  |             |
| <b>SUMMARY OF REASONS FOR RECOMMENDATION</b><br>The proposed development does not conform with policy ENV28 of the Maidstone Borough-wide Local plan 2000. However, the site is located in sustainable location on the edge of Staplehurst, is not considered to result in any significant planning harm, and accords with the submitted Maidstone Local Plan (2011-2013) and the Staplehurst Neighbourhood Plan. These matters and that the development is considered to be in compliance with the National Planning Policy Framework is sufficient grounds to depart from the Borough-wide Local plan 2000. |   |  |             |
| <b>REASON FOR REFERRAL TO COMMITTEE</b> <ul style="list-style-type: none"> <li>• Departure from the Development Plan.</li> <li>• Staplehurst Parish Council has requested the application be reported to Committee for the reasons set out below.</li> </ul>  |   |  |             |
| <b>WARD</b> Staplehurst Ward  | <b>PARISH/TOWN COUNCIL</b><br>Staplehurst   | <b>APPLICANT</b> Redrow Homes Limited<br><b>AGENT</b> Judith Ashton Associates |             |
| <b>DECISION DUE DATE</b><br>15/03/16  | <b>PUBLICITY EXPIRY DATE</b><br>15/03/16  | <b>OFFICER SITE VISIT DATE</b><br>08/01/16                                     |             |
| <b>RELEVANT PLANNING HISTORY</b>  |   |  |             |
| <b>App No</b>   | <b>Proposal</b>   | <b>Decision</b>  | <b>Date</b> |
| 80/0709   | 'Outline application for residential development of 10 houses to the acre i.e. 400 houses from two to five bedrooms'  | Withdrawn  | 12/12/80    |
| <b>Planning history on adjoining site to the west:</b>  |   |  |             |
| 14/505432/FULL  | Residential development to provide 167 dwellings, areas of public open space, associated landscaping and infrastructure and the formation of new vehicular access from Headcorn Road and pedestrian access from Fisher Road, Hurst Close and Headcorn Road. | Pending decision   |             |
| <b>Land to the south of Headcorn Road (Stanley Farm):</b>   |   |  |             |
| 15/507124/OUT   | Outline application for the erection of up to 110 dwellings (access being sought).  | Pending decision   |             |

**Land to the northwest of the site (top corner of housing allocation site H1 (50):**

|                |  |                       |            |
|----------------|--|-----------------------|------------|
| 15/506021/FULL | Erection of nine dwellings with associated landscaping and access via a private drive off Fishers Road, Staplehurst. | Approved at committee | 02.06.2016 |
|----------------|--|-----------------------|------------|

**BACKGROUND**

The application site, along with the adjoining site (14/505432/FULL) is allocated for housing development in the emerging Local Plan (submission version) under policy H1 (50). This policy states:

**Policy H1 (50) Fishers Farm, Fishers Road, Staplehurst**

Fishers Farm, as shown on the policies map, is allocated for development of approximately 400 dwellings at an average density of 30 dwellings per hectare. In addition to the requirements of policy H1, planning permission will be granted if the following criteria are met.

**Design and layout**

1. Retain and enhance hedges and trees along the northern and eastern boundaries of the site in order to screen new housing from the railway line and adjacent open countryside.
2. The eastern section of the site will be built at a lower density to reflect the existing open character of the countryside beyond.
3. The proposals will be designed to include areas of open space that retain the integrity and connectivity of the existing framework of ponds, hedgerows and trees within the site.

**Access**

4. Primary access will be taken from Headcorn Road subject to agreement with the Highways Authority.
5. Secondary and/or emergency access will be taken from Fishers Road subject to agreement with the Highways Authority.
6. Pedestrian and cycle access will be taken from Fishers Road and Hurst Close.
7. Pedestrian and cycle linkages will be provided, to ensure good links to existing residential areas and the village centre.

**Noise**

8. Development will be subject to a noise survey to determine any necessary attenuation measures in relation to the railway line.

**Open space**

9. Provision of a minimum of 4.47ha of natural/semi-natural open space within the site together with contributions towards off-site provision/improvements required in accordance with policy DM22. Should the site be sub-divided through the development management process proportionate provision/contributions will be required. Open space should be sited to maximise accessibility to new and existing residents.

**Community infrastructure**

10. Appropriate contributions towards community strategic infrastructure in particular foul water drainage will be provided where proven necessary so that there is nil detriment to existing infrastructure capacity.

**Highways and transportation**

11. Package of measures in north eastern Staplehurst including the provision of a pedestrian and cycle crossing on Headcorn Road, bus infrastructure improvements, extension of the 30 mph speed limit on Headcorn Road.

**Strategic highways and transportation**

12. Capacity improvements at the junction of A229, Headcorn Road, Station Road and Marden Road, Staplehurst.

13. Improvements to public and passenger facilities at Staplehurst Rail Station.

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

- 1.01 The site is grass pasture land largely in equestrian grazing use with an area of some 9.83 hectares. The site is located to the east of Staplehurst village and adjoins the proposed Bovis housing development for 167 houses (14/505432) which is located to the west of the site. To the east of the lower section of the site is Pile Lane with grazing land located to the northeast of the site with Couchman Green Lane / Sweetlands Lane beyond. The northern boundary meets the railway line running between Staplehurst and Ashford. Further to the east, on the opposite side of Pile Lane, is a greyhound dog training facility with outdoor track. To the south and west of the site are residential properties fronting Headcorn Road. There is a proposed housing development for up to 110 houses (15/507124) to the south on the opposite side of Headcorn Road. Open pasture land is located to the northeast and Fishers Farm is to the northwest with Fisher Farm sewerage disposal located to the north on opposite side of the railway. To the northwest is a residential development site at Fishers Oast, Fishers Road (15/506021) with planning permission for 9 houses which comes under the same draft housing allocation as this site and the adjoining Bovis site (Policy H1 (50)).
- 1.02 There are no significant land level changes on the site and the land generally slopes gently downwards from west to east away from the village. The site is made up of a number of fields divided by hedge/tree lines and there are a number of ponds within the site. The western boundary of the site does not follow any physical feature on the ground and cuts through existing fields and hedge/tree lines. The west boundary adjoins the 167 units housing development proposed by Bovis.
- 1.03 PROW KM296 runs from east to west across the northern section of the site. PROW KM296 links up with Fishers Road to the west and the junction at Pile Lane / Couchman Green Lane to the east. PROW KM296 also links with PROW KM295 to the northwest of the site and heads north.
- 1.04 The site is located to the east of the settlement boundary of Staplehurst in the Local Plan and is located within the countryside for Development Plan purposes. The land

has no special landscape designation, although there is a Special Landscape Area on the south side of Headcorn Road. There are no nearby listed buildings. The site is location in Flood Zone 1.

## 2.0 PROPOSAL

- 2.01 This is a full and detailed application for 185 dwellings together with areas of open space, formal play space, associated landscaping and infrastructure and the formation of new vehicular access from Headcorn Road and Pile Lane.
- 2.02 A primary vehicular access point is proposed from Headcorn Road at the south end of the site. The primary junction onto Headcorn Road would merge with the existing junction at Pile Lane. A secondary vehicle access point is proposed onto the existing Pile Lane / Sweetlands Lane junction to the east. There are pedestrian/cycle links proposed with the adjoining site to the west (14/505432/FULL) which links through to Hurst Close to the west and with Fishers Road at the northwest end of the site. PROW KM296 runs through the northern section of the site and connects with Fishers Lane to the west and Couchman Green Lane to the east. The existing PROW will be maintained within the proposed development layout.
- 2.03 The houses are arranged around a central spine road running from Headcorn Road, south to north through the site, with secondary roads running off the central road. There would be a mix of detached, semi-detached, and terraced houses and four three storey apartment blocks. Driveways, garages and parking courts for the apartments would provide parking for properties. Visitor parking spaces would also be provided. The houses would be predominately of 2 storey height with some 2.5 storey houses and the apartment blocks would be three storey. The density of the development would be approximately 19 dwellings per hectare.
- 2.04 40% of the proposed units (74 units) are to be set aside as affordable housing in a mix of affordable rented units, shared ownership homes and 25 starter homes as currently being agreed between the developer, a local housing provider and the council's housing department.

The following housing mix is proposed:

| No. Beds     | Private    | Affordable |
|--------------|------------|------------|
| 1 bed        | 0          | 12         |
| 2 bed flat   | 0          | 36         |
| 2 bed house  | 0          | 24         |
| 3 bed        | 42         | 26         |
| 4 bed        | 55         | 0          |
| 5 bed        | 14         | 0          |
| <b>Total</b> | <b>111</b> | <b>74</b>  |
| <b>Total</b> | <b>185</b> |            |

- 2.05 A total of 394 parking spaces would be provided with a further 37 visitors parking spaces.

2.06 In terms of landscaping and open space, existing hedge/tree lines are largely retained and strengthened throughout the site and along the boundaries. Areas of landscaping and open space are shown around existing ponds and tree clusters, and an area of formal public open space / play space (LEAP) is shown along the west boundary adjacent the adjoining proposed housing development. Landscaped front gardens are proposed and new tree planting along streets. There are areas of semi-natural open space throughout the site, including on the north and northeast sections and a landscape buffer adjacent Headcorn Road.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, T3, T13, T21, T23, CF1
- MBC Affordable Housing DPD (2006)
- MBC Open Space DPD (2006)
- Minerals and Waste Local Plan (2013 – 2030): N/A - Not in safeguarding area
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)
- Draft Maidstone Borough Local Plan (2011-2031): SS1, SP5, SP10, H1, H1(50), DM1, DM2, DM5, DM7, DM11, DM12, DM13, DM23, DM24, DM25, DM27, ID1
- Draft Staplehurst Neighbourhood Plan (2015-2031): PW, E1, H1, H2, H3, H5

### **4.0 LOCAL REPRESENTATIONS**

4.01 Some 41 representations have been received including some 31 objections and 10 comments, raising the following main (summarised) points:

- Highway safety & congestion, particularly at the crossroads
- Pedestrian safety, particularly at the crossroads
- Insufficient infrastructure in Staplehurst, schools, doctors, road network.
- Rat running will occur in Hurst Close and Pile Lane
- Highways safety at proposed access onto Pile
- Additional impact on sewerage system
- Flooding
- Foul and surface water drainage
- Disturbance to dogs in the kennels adjacent the site
- Traffic congestion on local road network
- Errors in the traffic survey data
- Impact on biodiversity / habitats, particularly great crested newts
- Loss of trees and hedgerows
- The level of social housing will adversely affect both the quality of life and value of existing residents and their properties
- Contrary to Staplehurst Neighbourhood Plan
- Lack of engagement with the local and Parish by the developer
- Transport assessment is flawed in terms of number of vehicle movements predicted

- A master plan should be provided for the whole draft allocation site
  - Poor connectivity with the adjoining Bovis housing site and village
  - Loss of views
  - Overshadowing
  - Overlooking another property and loss of privacy
  - Visual appearance
  - Parking Provision
  - Noise, smells and disturbance resulting from use
  - Loss of property value
  - Lack of local employment and shopping
- Junction alterations are unacceptable, including; over 3 minute waiting time for pedestrians; pedestrian / wheelchair user safety; railing cause safety hazard for cyclists; flawed traffic modelling; forecast population growth not for the full plan period; narrowed footpath; removal of footpaths; traffic capacity; additional vehicle lanes at the junction; pedestrian desire line unsafe; relocation of bus stops; impacts on neighbouring listed buildings; no further development should be approved in Staplehurst until a satisfactory scheme for the junction can be implemented; the only way forward would appear to be to Compulsory Purchase land adjacent the junction; access to services; travel plans are not based on facts.

4.02 Weald of Kent Protection Society: Objects raising the following (summarised) points:

- Housing too close to sewage works and dog kennels
- Flooding and sewerage
- Traffic congestion
- Pressure on local schools and doctors
- Housing mix should include bungalows
- Balconies should be included in the flatted blocks

4.03 The Council has been made aware that there is an online petition titled 'A Safe Crossing at Cuckolds Corner, Staplehurst' which has comments on the crossroads in the village, and which at the time of writing this report had 149 supporters.

## 5.0 CONSULTATIONS

5.01 **Staplehurst Parish Council:** Initial comments received on 20.01.2016. The PC recommends refusal and requests the application be referred to committee for the following (summarised) reasons:

- Layout and design
- Layout has not in accordance with the master plan for the whole site
- Housing mix unsatisfactory, lack of bungalows
- Proximity to dog kennels and sewage works
- Travel data and forecasts questioned
- Fails to acknowledge the required highways improvements identified in the Staplehurst NP
- Fails to address the implications for transport and sustainability in the village
- No explanation as to how the proposals would address the capacity issues at the A229/Headcorn Road crossroads

- Fails to demonstrate how the new streets and related movements would integrate into the existing village
  - Flooding and drainage
  - No S106 contributions for education in Staplehurst
  - Key information is missing and there are too many errors, questionable assumptions and statements.
- 5.02 Additional comments were received from the Parish Council in March 2016 regarding the proposals at Staplehurst crossroads. Comments are summarised as follows:
- Congestion already occurs at the crossroads.
  - Additional housing development with increase traffic in Staplehurst and the surrounding area.
  - The NP puts forward proposals to address the problems at the crossroads.
  - Current proposals for crossroads are unacceptable to pedestrian (including young, disabled and elderly) safety / accessibility.
  - Crossroad proposal are contrary to NP.
  - The modelling and survey for the crossroads has no explanation or justification and lack clarity.
  - Traffic congestion would increase.
- 5.03 Additional comments from the PC received on 16.08.2016 in response to junction proposal. The PC confirmed the proposals did not change their reasons or recommendations for refusal. Objections to the junction alterations relate to:
- The narrowness and rerouting of footpaths would cause pedestrian and cyclist safety issues.
  - The proposals showed complete disregard for the mobility-impaired.
  - The narrowness of the proposed vehicle lanes would increase the risk of vehicles mounting the pavements and would not accommodate HGV manoeuvres.
  - Traffic speeding is already an issue in the area.
  - The proposed new locations of the bus stop and crossing in the High Street would present a serious hazard.
  - Assumptions about future traffic movements appeared flawed.
  - Assumptions that new development traffic could be reduced by 5% appeared both untested and unrealistic.
  - The design of the submitted proposals was unsympathetic to the nature of a rural village high street.
  - Contrary to the NP.
- 5.04 **MBC Conservation Officer:** No objection subject to conditions re: samples of materials, landscaping and the preservation of the identified historic hedgerows.
- 5.05 **MBC: Landscape Officer:** No objections subject to conditions.
- 5.06 **MBC Housing Officer:** No objection 40% provision of on-site affordable housing. Discussions are on ongoing between the developer, housing officers and registered providers regarding the on-site mix and provision of starter homes as part of the affordable mix.

- 5.07 **MKIP Environmental Health Officer:** No objections subject to conditions regarding contaminated land and noise mitigation. The EHO advises the LPA should consider if an assessment of the likely impact of the sewage works and odours on future residents should be made in support of the application.
- 5.08 **MBC Parks & Leisure:** No objections. Request an off-site open space contribution towards the improvement of existing play facilities at the site known as Lime Trees.
- 5.09 **KCC Development Contributions:** Request contributions towards Headcorn Primary School, Cornwallis Secondary School, local library bookstook, youth equipment and community learning in Staplehurst.
- 5.10 **KCC Highways:**
1. No objection in respect of development itself subject to conditions and off-site highway works.
  2. Objection raised in respect of the cumulative impact of development on the crossroads in the centre of the village – specifically in relation to congestion/traffic impact and highway safety issues.
- (See paragraph 6.36 onwards for further discussion/detail)
- 5.11 **KCC Ecology:** No objections subject to conditions relating to reptiles mitigation strategy, landscape/ecology management plan, and enhancements.
- 5.12 **KCC Flood Team (Lead Local Flood Authority):** No objections subject to conditions relating to a detailed SUDs scheme and long-term management.
- 5.13 **KCC Heritage:** No objections subject to a condition requiring a programme of archaeological work.
- 5.14 **Natural England:** No objections
- 5.15 **UK Power Networks:** No objections.
- 5.16 **Southern Gas Network:** Advise on the location of pipelines
- 5.17 **Rural Planning Ltd:** No objections.
- 5.18 **Kent Wildlife Trust:** No objections. Suggest ecology conditions.
- 5.19 **NHS:** Request a healthcare contribution towards extension, refurbishment and/or upgrade of Staplehurst Health Centre.
- 5.20 **Environment Agency:** No objections. The EA have assessed the application as having low environmental risk.
- 5.21 **Southern Water:** No objections. SW advise that they cannot accommodate the needs of this application without the development providing additional local

infrastructure. SW recommend conditions and informatives should the application be granted to ensure the foul drainage is appropriately dealt with.

- 5.22 **Upper Medway Internal Drainage Board:** No objection. Suggest SUDs should be designed in direct consultation with KCC's drainage and flood risk team.
- 5.23 **Kent Police:** Recommend condition regarding crime prevention.
- 5.24 **Kent Fire and Rescue:** No objections. Advise that access to the site for the Fire and Rescue Service is satisfactory.
- 5.25 **Network Rail:** Advise on impact on the railway during and post construction.
- 5.26 **Design South East:** Endorse the ecology / landscape led layout.
- 5.27 **KCC PROW:** No objections

## 6.0 APPRAISAL

### Principle of Development

- 6.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 6.02 The application site is outside the defined settlement boundary of Staplehurst. It is therefore upon land defined in the Local Plan as countryside and policy ENV28 is relevant.
- 6.03 Paragraph 215 of the NPPF states that, *“due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*
- 6.04 Saved policy ENV28 seeks to protect the countryside by restricting development beyond identified settlement boundaries. In general terms, this policy is consistent with the NPPF, which at paragraph 17 recognises the intrinsic character and beauty of the countryside. However, the submitted draft MBLP evidence base identifies objectively assessed needs for additional housing over the plan period 2016-2031, which the submitted draft MBLP addresses, in part, by way of site allocations for housing sites outside existing settlement boundaries. The submitted draft MBLP is currently at the examination stage and the public hearing is currently taking place and concluding in November 2016. The submitted draft MBLP will deliver the development (and infrastructure to support it) to meet objectively assessed need over the plan period.
- 6.05 The existing settlement boundaries defined by the adopted Local Plan (2000) will be revised by the draft MBLP to deliver the development necessary to meet identified needs in accordance with the site allocations in submitted draft MBLP policies and H1. In this instance the weight attached to ENV28 should be reduced due to the allocation of the site in the emerging Local Plan under policy H1 (50).

6.06 Paragraph 216 of the NPPF states that,

*"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

6.07 Inevitably any major development on a greenfield site will clearly have an impact upon the environment. In this respect at paragraph 152 the NPPF advises that,

*"Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate."*

6.08 In allocating the site, the Council considers its use for housing is appropriate subject to the criteria outlined within draft MBLP policy H1(50) to mitigate the impact as far as possible. On this basis, it is considered that in general, the proposed allocation is consistent with the principles and policies set out in the NPPF when taken as a whole.

6.09 The site forms part of a larger site allocated for housing (400 dwellings) titled 'Fishers Farm' (policy H1(50)). The application site forms the eastern part of this wider site and makes up approximately two thirds of its area. The policy allocates the site for 400 dwellings and has criteria relating to design/layout (retaining landscape features), access (main access from Headcorn Rd and pedestrian/cycle linkages with existing roads), noise, open space (minimum of 4.47ha of natural/semi-natural open space), community infrastructure, and highways (improvements to crossroads, train station, and bus services).

6.10 As such, the non-compliance with saved policy ENV28 must be considered in the context of the site's inclusion within the planned expansion to Staplehurst. The Council can demonstrate a five-year housing land supply that is based, in part, on the allocation of housing sites in the submitted Local Plan, which will alter existing development boundaries. Those allocations include this site. Accordingly, although this application does not comply with ENV28 as it proposes development in the 'countryside' under the 2000 Local Plan, limited weight should be accorded to that non-compliance, as the site is allocated for development in the submitted Local Plan.

- 6.11 The Staplehurst Neighbourhood Plan (NP) is a material consideration, and allocates the wider site for 400 dwellings under policy H5, in line with the submitted Maidstone Local Plan. Criteria relates to an overall site masterplan; connections and linkages with the village and countryside; respecting existing properties amenities; sufficient space for ecological requirements/retention of hedgerows and trees, SUDs and open space; and recreational routes. The NP has now been examined and the examiner recommended modifications. These do not change the aims of the criterion referred to above but would add to criterion relating to on-site sewerage provisions and protecting amenity due to the proximity off the wastewater works to the north of the site. Having been examined and with only referendum as the next stage which is scheduled for 3<sup>rd</sup> November 2016, before it can be 'made', it is considered that the NP attracts significant weight.
- 6.12 In terms of the suitability of the location of the development, the NPPF advises as one of its core principles to, *“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”* Staplehurst is defined as a Rural Service Centre, which outside of the town centre and urban area, are considered the most sustainable settlements in Maidstone's settlement hierarchy, under the submitted Local Plan. The submitted Local Plan outlines that, *“Rural service centres play a key part in the economic and social fabric of the borough and contribute towards its character and built form. They act as a focal point for trade and services by providing a concentration of public transport networks, employment opportunities and community facilities that minimise car journeys.”* The settlement clearly offers a good range of key services including a primary school, doctor's surgery, employment, shops, public house, regular public transport bus connections to Maidstone and a train station, and as such, the site is considered to be at a sustainable location immediately adjoining an existing settlement.
- 6.13 In conclusion, the proposal does not comply with the settlement boundaries of the Local Plan 2000 but in order to meet current housing needs these boundaries must change. To meet this need, the submitted Local Plan allocates the site for housing development under H1(50) and the NP also allocates the site for housing which are both considered to attract significant weight. With this in mind, I consider the policy principle of residential development at this location is acceptable, this being a sustainably located site adjacent to a settlement with a range of services and public transport links, and the provision of 167 houses would provide a meaningful contribution towards housing need and this is considered to be a strong material consideration in favour of the development.
- 6.14 The report will now go on to consider the key planning issues which are considered to be visual impact/design, access/highway safety, infrastructure, ecology, drainage/flood risk, residential amenity. It will also be necessary to assess whether the proposal accords with policy H1 (50) of the new Local Plan and policy H5 of the NP.

#### **Visual/Landscape Impact**

- 6.15 In terms of localised impact and near views, the site is visible from Headcorn Road to the south although there is an established tree/hedge line fronting the road, which would provide some screening/softening for the development. The development

would be set back from Headcorn Road with the existing boundary screening largely retained save for the area of the proposed new vehicle access, although the urbanising impact of the access would be reduced as it would merge with the existing junction at Pile Lane and Headcorn Road. The development in the southern part of the site adjacent to the Headcorn Road would contain frontage development, set back behind a landscape belt which would provide a positive edge to the development in accordance with the NP.

- 6.16 Views of the housing development would also be afforded from Pile Lane and Couchan Green Lane. A majority of the eastern site boundary along Pile Lane benefits from established hedge and tree planting which would be retained and enhanced to screen and soften the visual impact of the development. The development would be set back from Couchman Green Lane and views toward the development would be afforded from Couchman Green Lane across existing grazing land. Existing and proposed landscaping along the eastern boundary of the site would help screen / buffer the development from the countryside.
- 6.17 The adjoining land to the west is the subject of a planning application for 167 houses (pending decision and reported to the same committee as this proposal). The proposal would be viewed in the foreground of the adjoining housing development should permission for that site be forthcoming. Further to the west is the significant built development within the village settlement of Staplehurst. To the north the railway line provides a strong physical edge to the settlement in this direction and the boundary of the application site. The site would also be seen in the foreground of the proposed Bovis scheme and the wider village settlement would frame the backdrop of the development.
- 6.18 The application site and surrounding area is predominately flat and the visual impact of the development would be mainly limited to close range views from Headcorn Road, Pile Lane and Couchman Lane (and from within the adjoining housing site if Members are minded to approve). The village settlement has an irregular shape which is relatively narrow in the south and widens towards the north, and development of the site would follow the general morphology of the village being wider at the northern end. For these reasons, development would not be out on a limb or result in any significant protrusion beyond the current settlement.
- 6.19 Overall, development of the site would inevitably result in a visual and character change from the current grassed fields but this would be largely limited to close range views. A development of this size would undoubtedly cause some harm and therefore result in some conflict with policy ENV28 of the Local Plan but this is considered to be relatively low and localised harm. Whilst this site forms part of a wider housing allocation site two separate applications have been submitted for a majority of the site. Should the adjoining scheme not be approved or come forward for development conditions could be ensured to provide a strong landscape edge on the west boundary of the site. It is also considered that the wider backdrop of the village would ensure this development would not appear significantly out of context with the village settlement and the visual impact of this site alone is considered to be acceptable in landscape terms.

## **Design Matters**

### Density/Scale

- 6.20 The density would be 19 dwellings per hectare, which is considered appropriate for this edge of rural settlement site. The density is lower than promoted in the draft housing allocation for this site, however, this is attributed to the landscape and ecology led scheme which seeks to retain the established hedgerows and ponds within the site. A lower density development is therefore acceptable and would not be significantly lower than the proposed housing development at the adjoining site or the development further west within Staplehurst village. The houses would be two storey, some with rooms in the roof space, and the apartment blocks three storeys. Garages and car barns would be single storey. Houses in the vicinity are generally 2 storeys so this would be in keeping and there are only four 3 storey buildings which would all be viewed within the context of the wider housing development.

### Layout

- 6.21 In terms of layout, the houses are arranged around a central spine road running from Headcorn Road, south to north through the site, with secondary roads running off the central road and a secondary access linking the site to Pile Lane. The second access road onto Pile Lane / Couchman Green Lane junction would ensure the site is permeable to vehicle traffic and the site would not be developed as a cul-de-sac development in accordance with the Staplehurst NP. The existing landscape character of the site is that of small to medium sized level fields, divided by established hedge/tree lines with a number of ponds with scrub areas and tree/hedgerow lined outer boundaries. The development largely retains these existing features using them to shape the development and the central spine road curves round existing ponds and tree planting using these as focal points along the spine road. The hedge/tree lines are retained and strengthened whilst used to divide housing areas, providing breathing space, and doubling up as pedestrian routes throughout the site in places. An area of formal open space is proposed on the western boundary of the site and would link through to an area of open space on the adjoining proposal site forming a visual link between the two sites.
- 6.22 As outlined above, the west boundary of the site does not follow any physical feature on the ground and cuts through the existing fields and hedge/tree lines. The land to the west is in different ownership and forms part of the wider draft allocation for housing development. The wider allocated site has been sub-divided as a result of different land owners and two planning applications have been submitted for a majority of the site proposing a total of 352 houses. A further 9 houses have been approved in the northwest corner of the site under application 15/506021/FULL. As the wider site has been subdivided and planning applications have been submitted by different developers a master plan for the whole site has not been submitted and it has not been possible to provide vehicle routes connecting the Bovis and Redrow schemes as required by the NP. However, through negotiations pedestrian and cycle routes would link the Redrow and Bovis housing developments and the formal play areas for both sites would join up acting as a central focal point to create a visual area of connectivity between the two sites. A pedestrian route would also link the two play space areas.

- 6.23 In terms of the development, houses are generally set back from roads with small front gardens creating attractive streetscenes throughout. Significant street tree planting is also proposed. At the main entrance the layout is such that the existing hedge/tree line would be largely retained and strengthened and this is achieved by linking the new access road into the site with the existing junction at Pile Lane and Headcorn Road which would limit the urbanising effect of the development when passing along Headcorn Road. Houses would generally all front onto the access roads within the site creating active street frontages and buildings address corners with dual frontages through materials and detailing.
- 6.24 The entrance to the site has houses addressing Headcorn Road albeit set back from the road behind an existing pond and boundary landscaping which would soften the visual impact of the development from Headcorn Road in accordance with the NP.
- 6.25 Landscaping is proposed along parts of the boundary with the adjoining site (with existing hedgerows also retained along this boundary) but there would not be any hard boundary treatments to enclose the site, and this can be ensured by condition. Pedestrian and cycle connections are shown into the adjoining Bovis scheme. Connections are proposed but a condition can be attached to ensure they link up with the neighbouring site. On the other hand, it could be the case that both applications were not approved or implemented so the same condition could be used to cover this eventuality with suitable landscaping or boundary treatments to provide an appropriate edge. Whilst each application must be assessed on its own merits, officers have been careful to ensure both sites would appropriately link with one another in the interest of good planning. Pedestrian/cycle access is also provided through the adjoining Bovis scheme linking up with existing estate roads in the village to the west which would link through this development ensuring good permeability and connections with the wider village. Routes are also proposed to the countryside to the east and the existing PROW running through the site would be maintained. Pedestrian and cycle links are also proposed in the northwest corner of the site linking the site to Staplehurst village.
- 6.26 The proposed layout has been subject to an internal Design South East Panel review and minor layout amendments have been completed by the architect following suggestions by DSE. Overall the layout and design has been endorsed by DSE and they state that the applicant is to be congratulated for integrating ecology and the neighbourhood plan so consistently. The site plan constraints map shows how the layout is ecologically led.
- 6.27 Overall, it is considered that the layout is of a high quality standard and layout and design would successfully integrate the existing ecology features of the site with the housing development to create a quality sense of place unique to this site.

#### Appearance/Materials

- 6.28 There would be a mix of detached, semi-detached, and terraced houses and four three storey apartment blocks. Buildings would be of traditional form with gabled roofs, some gable projections, bay windows, porch overhangs, and chimneys on some properties. Brick detailing for lintels, soldier courses and plinths is also proposed. Materials would include hung tiles, render, brickwork, and clay and slate roof tiles. It is considered that the traditional design of the buildings would be

appropriate for this location and that buildings would have sufficient detailing, and use varied but uniform materials to provide a quality appearance. Whilst materials are listed I consider it would be necessary to require samples by condition in order to determine whether these are appropriate. The houses types are different to those proposed on the Bovis scheme which is attributed to the different house developers, however, it is considered that the pallet of materials proposed over the two sites would both take cues from the local vernacular such that the two developments would not jar with one another.

- 6.29 Surfaces would include tarmac for the main roads and pavements. Driveways, parking areas, secondary roads and cul-de-sacs would mainly have block paving and pathways through landscaped areas would be finished with gravel, which would provide a good variation in surface treatment throughout the site. Conditions could ensure high quality materials with wildlife friendly gullies and porous materials.

#### Boundary Treatments/Landscaping

- 6.30 Boundary treatments within public areas include low level boundary treatment to ensure the open aspect to these areas is provided. These treatments are considered to be of good quality. I also consider it appropriate for measures to prevent parking on landscaped areas such as timber bollards or low level railings, and around ponds for safety and ecology reasons, which could be secured by condition where necessary.
- 6.31 As outlined above, there would be landscaped front gardens and new street and feature trees throughout. It is considered that the boundary treatments and landscaping proposals would provide a high quality environment.
- 6.32 The Landscape Master Plan shows an ecology and landscape led development and the proposed housing layout has been dictated by the established hedge/tree lines and ponds within the site which would be retained and strengthened. The housing development would be broken by areas of landscape habitats, including areas at the front of the site, two central areas adjacent the spine road, open spaces adjoining the neighbouring site and a large area of semi-natural open space in the north and east sections of the site.
- 6.33 In conclusion on design matters, it is considered that the design of the development is of a high standard. It provides for good permeability throughout the site with pedestrian and cycle connections also provided to the adjoining site to the west and the countryside to the east. The layout works with the existing landscape features retaining hedge/tree lines and ponds. Strong streetscenes would be created with buildings addressing roads and corners, and appropriate landscaping and boundary treatments. Buildings are of good quality reflecting local vernacular would use good quality materials, and surface materials are varied. The application has also been assessed under the Design South East (DSE) surgery used by the Council (where DSE members provide advice), and the proposals were considered to be of a good quality.

Impact on heritage assets

- 6.34 The proposals will not affect any designated heritage assets, the Staplehurst Conservation Area and the nearest listed buildings being at a considerable distance and having no inter-visibility with the application site.
- 6.35 The submitted heritage assessment identifies two potential non- designated heritage assets – the Fishers Farm complex and Home Farm (formerly Pile Farm in Pile Lane). Neither is within the application site but the development will inevitably have an impact on their setting. The council's conservation officer advises that the proposal would not impair the ability to appreciate the significance of these farm groups and that any harm will be less than substantial and may be outweighed by the public benefit arising from the provision of 185 dwellings.

**Highways/Transport Issues**

Access

- 6.36 There would be a new vehicular access onto Headcorn Road which would link with the existing Pile Lane / Headcorn Road junction at the southeast end of the site. A second access is proposed onto Pile Lane / Sweetlands Lane to the east of the site. Pedestrian/cycle links are proposed with the adjoining outline housing proposal which links through to Hurst Close/Newlyn Drive to the west and with Fishers Road at the north end of the neighbouring site. It proposed to provide a new footpath / cycle path to the north of the site connecting to Fishers Road. The new route would be a surfaced and lit route and to promote a safe route for use in all weathers. PROW KM296 runs through the northern section of the site and connects with Fishers Lane to the west and Couchman Green Lane / Pile Lane to the east.

Cumulative Traffic

- 6.37 A transport assessment (TA) has been submitted which has been assessed by KHS. The trip generation from the development is expected to result in some 105 movements during the AM peak (8am to 9am) and some 120 in PM peak (5pm to 6pm). This is an average of 2 trips per minute in both the AM and PM peak.
- 6.38 The TA demonstrates that the traffic for this development alone would not take the signalised crossroads in the centre of the village over capacity. However, a cumulative assessment of planning applications and allocated sites within the submitted Local Plan of which one at 'Hen & Duckhurst Farm' for 250 houses has a resolution to approve at Planning Committee (and including the pending outline application just to the south of this site at 'Stanley Farm' for 110 houses), would take the junction over desirable capacity (which is 90% saturation). Whilst this is not above the theoretical capacity (100%), KHS have raised 'holding objections' and consider that it is necessary to ensure mitigation to this junction based on the cumulative impact. On this basis, lengthy discussions have been carried out with KHS and the developers. The costs would be divided between developments that come forward in the village.
- 6.39 Table 1 below illustrates the impact upon the junction if no physical changes were made (but includes a 10% reduction in development traffic by use of Travel Plans,

which is discussed in more detail at paragraph 6.43 below.) This uses the most recent traffic modelling data produced by the Department for Transport (TEMPro 7.0: July 2016). This shows that 3 arms would operate above desirable capacity (90% saturation) in the AM and PM peaks and one arm would be above theoretical capacity (100%) in the PM peak.

- 6.40 Table 2 shows the impact excluding the outline application for 110 houses at ‘Stanley Farm’ on the basis that Members may wish to know these results as this site is recommended for refusal on this Agenda, and is not within the draft Local Plan or Neighbourhood Plan. Should Members agree with the recommendation then the results with this site excluded are shown below, which shows that 3 arms would operate above desirable capacity (90% saturation) in the AM and PM peaks but none above theoretical capacity (100%). It must be noted that the application is subject to an appeal and an Inspector could find the development acceptable so this is for illustration purposes.

Table 1: The impact on the junction from development traffic (including Stanley Farm) (with no mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

| Arms             | AM                       |                       | PM                       |                       |
|------------------|--------------------------|-----------------------|--------------------------|-----------------------|
|                  | Degree of Saturation (%) | Mean Max Queue (Cars) | Degree of Saturation (%) | Mean Max Queue (Cars) |
| A229 Station Rd  | 70.3%                    | 19                    | 86.0%                    | 24                    |
| Headcorn Road    | 97.6%                    | 28                    | 100.2%                   | 31                    |
| A229 High Street | 98.5%                    | 40                    | 99.9%                    | 48                    |
| Marden Road      | 97.8%                    | 34                    | 99.4%                    | 26                    |

Table 2: The impact on the junction from development traffic (excluding Stanley Farm) (with no mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

| Arms            | AM                       |                       | PM                       |                       |
|-----------------|--------------------------|-----------------------|--------------------------|-----------------------|
|                 | Degree of Saturation (%) | Mean Max Queue (Cars) | Degree of Saturation (%) | Mean Max Queue (Cars) |
| A229 Station Rd | 76.8%                    | 20                    | 76.4%                    | 22                    |
| Headcorn Road   | 92.4%                    | 23                    | 98.6%                    | 29                    |
| A229            | 93.6%                    | 34                    | 97.7%                    | 37                    |

|             |       |    |       |    |
|-------------|-------|----|-------|----|
| High Street |       |    |       |    |
| Marden Road | 94.0% | 31 | 98.5% | 25 |

- 6.41 Based on KHS objections, work has been carried out on potential improvements by the Council’s transport consultants and developers, based on an assessment of traffic in 2022, as these sites are anticipated to come forward over this period. The crossroads is relatively constrained by existing properties and third party land meaning that a wholesale re-design of the junction is not possible, as can be the case for rural junctions. As such, mitigation that maximise vehicular capacity whilst staying within the highway boundaries have been designed. These improvements (including a new crossing to the south) cost a total of approximately £277,100 which equates to £66,415 for this development.
- 6.42 The main change involves the footway on the southwest side of the junction (High Street arm) being removed to create an additional lane for traffic (creating a right turn) and changes to the stop line position with pedestrians routed via Chestnut Avenue. Consequently the crossing point here and bus stop would also be removed and relocated further south. On the Marden Road arm the stop line and crossing would be moved back slightly with the road widened, and a new footway would be provided to Chestnut Avenue. On the Headcorn Road arm the stop line and crossing would be moved back slightly. There would be no changes on the Station Road arm.
- 6.43 In addition, a comprehensive and robust Residential Travel Plan has been sought and submitted by the applicant in order to seek a 10% reduction in development traffic by 2022 (and also for the other sites). Management, monitoring, and review would be built into the Travel Plan over a 10 year period to seek to ensure the plan is working. This would be secured under the Section 106 agreement with a monitoring fee. Also proposed are mitigation measures targeting existing residents within the village should the 10% target not be achieved (at the developer’s expense). This would seek to achieve a 5% reduction covering the development and the wider village. The Travel Plan has been accepted by KHS.
- 6.44 Table 3 below illustrates the impact upon the junction if the physical changes outlined above were made (including the 10% reduction from Travel Plans). This shows that 1 arm would operate above desirable capacity (90%) in the AM peak and 3 arms in the PM peak but none above theoretical capacity (100%). The results largely show a reduced saturation of the junction and car que lengths in all but one case being reduced.

Table 3: The impact on the junction from all development traffic (with mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

| Arms             | AM                       |                       | PM                       |                       |
|------------------|--------------------------|-----------------------|--------------------------|-----------------------|
|                  | Degree of Saturation (%) | Mean Max Queue (Cars) | Degree of Saturation (%) | Mean Max Queue (Cars) |
| A229 Station Rd  | 79.6%                    | 20                    | 89.1%                    | 27                    |
| Headcorn Road    | 89.2%                    | 23                    | 93.5%                    | 26                    |
| A229 High Street | 90.0%                    | 29                    | 91.1%                    | 20                    |
| Marden Road      | 90.4%                    | 29                    | 92.1%                    | 22                    |

- 6.45 KHS consider that this impact in terms of traffic/congestion would be severe, “as three of the four junction arms are shown to operate above practical capacity (90%).” It should be noted that KHS have provided advice on the results excluding Stanley Farm which are set out in Table 4 below. They did not raise any objections to traffic/congestion in this scenario and therefore set the threshold for traffic/congestion ‘severity’ at 90%. The implications for breaching the 90% level result in an increase in 1 additional car queuing on three arms in the AM, and 2 additional cars on one arm and 1 on another arm in the PM (as set out in Table 4 below). It is considered that this impact above 90% does not result in the traffic impact being severe and is therefore not sound grounds to refuse the application.
- 6.46 Again, Members may wish to know the model results with Stanley Farm traffic excluded which are shown below in Table 4. This shows all arms within desirable capacity (90%) and to which KHS raise no objections on traffic/congestion grounds. It is outlined again that the application is subject to an appeal and an Inspector could find the development acceptable so this is for illustration purposes. However, it is reiterated that even with Stanley Farm included, the impact with mitigation is considered to be acceptable from a traffic/congestion perspective.

Table 4: The impact on the junction from all development traffic excluding Stanley Farm (with mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

| Arms             | AM                       |                       | PM                       |                       |
|------------------|--------------------------|-----------------------|--------------------------|-----------------------|
|                  | Degree of Saturation (%) | Mean Max Queue (Cars) | Degree of Saturation (%) | Mean Max Queue (Cars) |
| A229 Station Rd  | 78.0%                    | 20                    | 89.2%                    | 27                    |
| Headcorn Road    | 87.8%                    | 22                    | 90.0%                    | 24                    |
| A229 High Street | 87.9%                    | 28                    | 86.6%                    | 20                    |
| Marden Road      | 88.5%                    | 28                    | 89.1%                    | 21                    |

- 6.47 In terms of road user safety and convenience, as outlined above, the footway on the southwest side of the junction (High Street arm) would need to be removed to create an additional lane for traffic, and consequently the crossing point here and bus stop would also be removed. The mitigation scheme therefore provides for a new crossing and bus stop further south. KHS raise objection to this on safety grounds on the basis that pedestrians may still attempt to cross the High Street near the junction. However, a safety audit of the works to the crossroads also raised this issue but recommended that measures are incorporated to deter pedestrians crossing at this location, such as the installation of pedestrian guard rail and/or landscaping features. It is considered that a guard rail could be provided to overcome this issue and as such the KHS objection is not considered grounds to refuse planning permission for this application. As this issue can be resolved, this is certainly not considered to result in a 'severe' impact such to warrant objection to the development, this ultimately being the test within the NPPF.
- 6.48 Suggestions have been made to use the adjacent verge to the west of Station Road (in third party ownership) to provide a pavement which could potentially mean the crossing point could remain. Being in third party ownership, the applicant has no control of this land and therefore cannot ensure any proposals would be carried out. To impose such a condition would not be enforceable or reasonable and so would not pass the tests for planning conditions.
- 6.49 KHS have raised two other issues, firstly relating to assumptions made in terms of the number of cars that can wait to turn right without blocking through movements on Station Road and High Street, and secondly, the waiting time for pedestrians to cross at the traffic lights being over three minutes, which they consider could encourage more pedestrians to undertake uncontrolled crossing movements. Rather disappointedly, KHS only raised these matters under their latest set of advice (despite them being part of the modelling previously). The transport consultants for the adjoining 'Redrow' site have respond to these points and provided photographic evidence of 3 cars waiting and a car/van passing which vindicates this assumption. With regard to the waiting time, they advise that the signals operate under a MOVA

controller (software that responds to the demand on each arm) and they have observed that there are currently numerous examples of waiting times in the 3 to 4 minute range and the maximum (238 seconds) were noted to be utilised at some of the busiest periods. As such, the situation would be no worse than existing and this is not considered to be grounds to object.

- 6.50 Local representations have also raised objections on the basis that pedestrians, including those with disabilities, will be negatively affected by the changes. The main impact upon pedestrians will be from the removal of the crossing and pavement on the Station Road arm. For people walking east to west from Headcorn Road to reach Marden Road (and vice versa), this would mean potentially carrying out three crossings as opposed to one. For all other routes no additional crossing would be necessary. For those heading north or south on the west side of the crossroads, they would have to walk via Chestnut Avenue. This is not considered to be a significantly longer or less attractive route to use. It is acknowledged that the changes would make some routes slightly longer but this is not considered to warrant refusal of the planning application. For clarification, the latest proposals do not narrow any pavements that would remain.

#### Public Transport Improvements

- 6.51 In addition, in order to facilitate a traffic reduction and promote sustainable transport use by future residents and in line with the NPPF aim of managing pattern of development that facilitates the use of sustainable modes of transport and make the fullest possible use of public transport, improvements to the frequency of bus services and improvements to the train station would be secured.
- 6.52 Through negotiation, the bus operator 'Arriva' has committed to increase the frequency of services from hourly to half hourly with s106 funding to support this for the first 3 years of service. This would be at a cost of £146,300 per year and this would be divided between the outstanding developments within the village. For this development it would mean a financial contribution of £155,400. Bus stops are located with walking distance of the site meaning that future residents would utilise such improved bus services, and this would reduce reliance on the use of private motor vehicles.
- 6.53 With regard to the train station, 'Southeastern' have been working on a scheme of improvements to the station including a new forecourt and transport interchange, improving public and passenger facilities to the station frontage and on the approach to provide a safer and clearer route, and improved cycle parking facilities. The costs of the works has been assessed as being approximately £1.1million and would be divided between developments within the village equating to £264,365 for this development. This would be secured under the Section 106 agreement. In addition, a new pedestrian crossing on the A229 Station Road between Station Approach and Fishers Road would be secured which would provide a suitable link to the railway station.
- 6.54 These improvements to public transport would serve to promote sustainable travel for new residents in line with the NPPF, which encourages opportunities for sustainable transport modes to be taken up (para. 32), and such improvements would be in accordance with policy T23 of the Local Plan, policy H1(50) of the submitted Local

Plan and policy PW1 of the NHP. The scale of the contributions are reasonably related to the proposals and based on costs provided by 'Arriva' and 'Southeastern'. Accordingly, I am satisfied that the necessary legal and policy tests would be met.

- 6.55 Policy T3 of the Local Plan refers to the requirement, where necessary and appropriate, for public transport facilities within significant developments. In this case the site provides good access to existing public transport points, including through Headcorn Road and Pile Lane, and through a dedicated crossing on the A229, which is in accordance with policy T21 of the Local Plan and H1(50) of the submitted Local Plan.

Parking

- 6.56 In terms of parking provision, a total of 394 parking spaces would be provided for the 185 dwellings with a further 37 visitors parking spaces over the site. 578 cycle parking spaces are proposed. Across the site the proposed parking provision is either in accordance with KCC parking standards and in most instances parking provision is above KCC parking standards. Overall, the parking provision is considered to be acceptable and strikes the right balance between a sensible provision and providing a good quality design.

Off-site Highways Works (specific to this development)

- 6.57 Various off-site highways works are proposed and it is considered that these are necessary in the interest of safety, providing good connectivity with the local area, and promoting sustainable transport use. These include extending the 30mph speed limit and the provision of a gateway feature, along with coloured surfacing and signage in order to clearly mark the change in speed limit from 60 to 30 mph and provide a gateway feature into Staplehurst along Headcorn Road. It is also proposed to provide a new footpath / cycle path to the north of the site connecting to Fishers Road. The new route would be a surfaced and lit route and to promote a safe route for use in all weathers.
- 6.58 KHS have also raised the issue of surrounding road networks being used as an alternative route to access the A229. It is considered that a suitable head of terms for the s106 could be used to address this and which could require appropriate measures, if necessary, such as traffic calming. Any contribution would be pooled between relevant sites.
- 6.59 The NPPF states at paragraph 32,

*"Plans and decisions should take account of whether:*

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- Safe and suitable access to the site can be achieved for all people; and*
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be*

*prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*

- 6.60 In conclusion, there are no objections from KHS to the development itself. The development would provide a robust Travel Plan, and contribute towards improvements to the bus service and train station, involving a total financial contribution of £438,876. Based on this, significant improvements to public transport would be secured, safe access to the site is possible, and works to the crossroads would be funded to mitigate the cumulative impact of this development with others in the village, and safety issues raised could be overcome through the use of guard railing. This would serve to limit any significant impacts and any residual impacts are not considered to be severe subject to the mitigation, despite the view of KHS.

### **Community Infrastructure**

- 6.61 A development of this scale is clearly likely to place extra demands on local services and facilities and it is important to ensure that the development can be assimilated within the local community. As such suitable contributions to make the development acceptable in planning terms can be sought in line with policy CF1 of the Local Plan and the Council's Open Space DPD.

- 6.62 However, any request for contributions needs to be scrutinised, in accordance with Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010. This has strict criterion that sets out that any obligation must meet the following requirements: -

It is:

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

\*And

*A planning obligation (“obligation A”) may not constitute a reason for granting planning permission to the extent that—*

- (a) obligation A provides for the funding or provision of an infrastructure project or type of infrastructure; and*
- (b) five or more separate planning obligations that—*
  - (i) relate to planning permissions granted for development within the area of the charging authority; and*
  - (ii) which provide for the funding or provision of that project, or type of infrastructure have been entered into before the date that obligation A was entered into.*

- 6.63 \*This section came into force on 6<sup>th</sup> April 2015 and means that planning obligations cannot pool more than 5 obligations of funding towards a single infrastructure project or type of infrastructure (since April 2010).

- 6.64 The following contributions have been sought:

- 6.65 For primary education provision, £573,714.31 sought towards the Phase 2 of the Headcorn Primary School new expansion and site enlargement is sought. A contribution of £95,920.15 is also sought towards the cost of acquiring additional land to accommodate the expansion of Headcorn PS. The question as to why monies are being diverted to Headcorn and not Staplehurst has been raised. KCC have advised that, *“there are strong links between Staplehurst and Headcorn in terms of educational demand. Staplehurst PS currently has a surplus of places which will diminish over coming years and is not enough to accommodate the full effect of development in Staplehurst, Headcorn PS does not have a current surplus. The nature of Staplehurst PS is such that an expansion would yield an increase of 105 places across all year groups, the expansion of Headcorn PS will yield 210 pupil places. The expansion of Headcorn PS by 1FE for September 2017 will act as strategic response to the growth in Headcorn and Staplehurst. Staplehurst PS is also likely to need additional places in the medium term as the existing surplus capacity is diminished; at that point development contributions in the area will likely be directed to Staplehurst.”*
- 6.66 For secondary education £365,769.00 is sought towards the Phase 1 expansion of Cornwallis school to address the increased impact the development would have.
- 6.67 For youth equipment, £1596.78 is sought for the new residents of this development towards equipment to expand the range of youth focused activities able to take place in Staplehurst by KCC’s commissioned youth worker.
- 6.68 For libraries, £8882.93 sought to be used to address the demand from the development towards additional bookstock (supplied to Staplehurst Library).
- 6.69 For community learning, £5678.88 is sought towards the cost of additional equipment required within the village, to mitigate the impact of the additional attendees.
- 6.70 In terms of healthcare, the NHS are seeking a contribution of £157,068 towards extension, refurbishment and/or upgrade of Staplehurst Health Centre, which is considered acceptable to mitigate the increased impact on the centre. This is a higher level than requested at the adjoining site due to the fact that more four and five bedroom houses are being proposed on this site. The NHS calculate the contribution using the predicted number of future occupants rather than the number of houses proposed.
- 6.71 In terms of open space, the development would provide approximately 3.49ha. Of this, approximately 80% will be maintained and enhanced natural/semi-natural space due to ecological requirements and retaining landscape features. A LEAP is proposed on the western boundary adjacent the proposed Bovis site. A trim trail would also be incorporated into the site. POS has advised that in accordance with Fields in Trust guidelines that a development of this size should provide (as a minimum) an onsite LEAP and a LAP. In the absence of a LAP POS has requested a financial offsite contribution towards existing facilities in the immediate area. In this instance POS request £78.75 per dwelling (total = £14,568.75) towards the improvement of existing play facilities at the site known as Lime Trees, which is considered acceptable to mitigate the impact of the development.

- 6.72 It is considered that the requested contributions are sufficiently justified to mitigate the additional strain the development would put on these services and comply with policy CF1 of the Maidstone Borough-Wide Local Plan (2000), policy PW1 of the NHP where relevant, and the CIL tests above.
- 6.73 The above contributions are sufficiently justified to mitigate the additional strain the development would put on these services and comply with policy CF1 of the Maidstone Borough-Wide Local Plan (2000), Open Space DPD, policy PW1 of the NHP where relevant, and the CIL tests above.
- 6.74 Requests for contributions towards the youth centre, village centre, feasibility studies for retail opportunities in the village, and broadband have been raised by the Parish Council and Cllr Brice. In terms of the youth centre, KCC have secured monies to youth services. In terms of the village centre there is no detailed evidence of the specific expansion or works that are required as a result of this development, detailed proposals or costs, and so at present any request for monies would not pass the legal tests. With regard to retail development in the village, this is not necessary to make the development acceptable. In terms of broadband standards, the development cannot be expected to solve a perceived existing problem.

#### **Drainage & Flood Risk**

- 6.75 Southern Water has advised that there is insufficient capacity in the local network to accommodate the development but have raised no objections stating that improvements can be secured under the Water Industry Act. The applicant has been liaising with Southern Water regarding capacity of the existing public network. Should capacity not be available it would be necessary to upgrade the public sewer system accordingly under the Water Industries Act. A condition will be attached to ensure sufficient foul sewerage is provided through the Water Act and consultation with SW.
- 6.76 In terms of surface water and flood risk, a Flood Risk Assessment (FRA) and Surface Water Management Strategy have been submitted. The site does not fall within a high risk flood area and as such the development is not at risk from river flooding. There is some risk from surface water flooding and the development proposes a Sustainable Urban Drainage scheme (SUDs) to deal with surface water drainage to ensure the run-off rates would not exceed the current situation. It is outlined that given the poor permeability of ground conditions across the site the potential for infiltration of surface water is considered unsuitable and based on the ditches and ponds present it is proposed to discharge surface water from the development to these existing features which are to be retained. Following the submission of further drainage information KCC Lead Local Flood has advised that surface water could be managed within the site subject to suitable conditions. The EA raise no objections on flood risk or environmental grounds.

#### **Ecology**

- 6.77 Ecological surveys have been carried out and identified the following were present within the site:
- Reptiles

- Great crested newts
- Breeding Birds
- Features suitable for roosting bats

- 6.78 KCC Ecology has advised that sufficient ecology information has been provided to determine the planning application.
- 6.79 Some 15 trees on the site were deemed suitable for roosting bats and roosts were found in one tree. All these trees would be retained so no emergence surveys have been requested. An external lighting condition could be attached to ensure light spillage would not have a harmful impact on bat migration, or the character of this rural location.
- 6.80 The ecology report advises that terrestrial habitat on-site and to the immediate west is likely to be of great significance in terms of sustaining the resident GCN populations. The grassland fields within the site currently provide sub-optimal reptile habitat but a 'good' population of slow-worms and 'low' populations of viviparous lizards and grass snakes were recorded around the field boundaries and suitable habitat adjacent to ponds.
- 6.81 In terms of GCN and reptiles, all the existing ponds within the site would be retained and enhanced. The proposal is to retain a majority of the existing hedgerows within the site which act as green corridors and green spaces essentially as the receptor site for GCN and reptiles. Where existing hedge/tree lines would be broken in places to provide roads, culverts and tunnels are proposed to maintain connectivity and wildlife friendly kerbs would be installed. Additional and enhanced habitat would be created through semi-natural spaces / pond habitats throughout the site, wildflower grassland creation, shrub and hedgerow planting / reinforcement linking to existing hedgerow and wildlife corridors.
- 6.82 Ecological mitigation and biodiversity enhancements incorporated into the open spaces, wildlife corridors and pond areas within the site would satisfy criterion three subject a detailed mitigation, enhancement and management strategy for the open spaces being secured by condition.
- 6.83 KCC has raised no ecology objections subject to conditions to secure an appropriate level of mitigation and future management.

### **Residential Amenity**

- 6.84 It is considered that the houses would be positioned a sufficient distance from any existing and proposed properties bordering the site so as not to cause any unacceptable loss of privacy, outlook or light. The proposal is for housing development which is clearly a compatible use with nearby residential use within Staplehurst and the adjoining Bovis scheme. It is also considered that the new properties would benefit from sufficient amenity standard in terms of privacy, outlook, light and house and garden sizes.
- 6.85 The dog training facility to the east of Pile Lane is likely to cause some noise disturbance for future occupants, however, this neighbouring use is not considered to be so incompatible with the proposed residential development to warrant refusal on

future amenity grounds. Headcorn Road to the south and the railway line to the north would impact on the future occupants. In this regard the noise assessment concludes that some mitigation for houses near the two boundary roads and the railway line will be required including passive ventilation to enable cooling without opening windows and the EHO has recommended conditions to cover this point.

- 6.86 The railway line would separate the development from the sewerage works to the north. Further, the proposed housing development would be located no closer to the sewerage plant than the recently approved scheme for 9 houses (15/506021/FULL). The EHO has raised no objections overall but has that the sewage works may give rise to odours being experienced by residences on part or all of the site. The site is significantly outside the current air quality management area.
- 6.87 Pedestrian and cycle connections to the west would result in increased use of local roads in the village and introduce residents walking to the front and side of properties, however, this is not considered to result in any unacceptable impact upon amenity.

#### **Other Matters**

- 6.88 Affordable housing is proposed at 40% in line with the 2006 DPD and emerging policy. The housing mix in terms of tenure and size and suitability of starter homes is the subject of ongoing discussions between the developer, local housing provider and MBC Housing department to ensure an appropriate mix of affordable housing is delivered on site. If Members are minded to grant permission the outcome of these discussions will form the affordable mix in the S106.
- 6.89 Conditions could suitably deal with archaeology and contaminated land. It is considered that the travel plan and proposed public transport improvements are sufficient measures to limit any impact upon air quality. In terms of agricultural land loss, there is a mix of partly 3a (good quality, within the best and most versatile category) and partly 3b (moderate quality not within the best and most versatile category). The Council's advisors states that, "in practice the interplay of the Grade 3a and Grade 3b within the fields concerned, the irregularly shaped and fairly small fields bounded by hedgerows, and the presence of various ponds, tends to limit the potential for any more intensive use of the land than use for grass, which appears to have been the practice for many years. Thus it may be that as part of the overall Planning balance, the issue of loss of agricultural land under this scheme should be afforded relatively little weight." Based on this I do not consider this is grounds for an objection to the application.
- 6.90 Other matters raised, where relevant to planning, have been addressed in the relevant sections in the main report.
- 6.91 A separate Screening Opinion has been adopted by the Council for the application where it has been concluded that the development would not have significant environmental effects in the context of the EIA Regulations alone or cumulatively with other developments, would not be of more than local importance, and any environmental implications from the development would not be so significant or wide-ranging so as to warrant an EIA. Therefore it is not considered that an EIA is

required for this application in light of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

## **7.0 CONCLUSION**

- 7.01 The proposed development is contrary to policy ENV28 in that it represents housing development outside a settlement boundary in the Local Plan. However, the draft MBLP evidence base identifies objectively assessed needs for additional housing over the plan period 2016-2031, which the draft MBLP addresses, in part, by way of site allocations for housing sites outside existing settlement boundaries. The existing settlement boundaries defined by the adopted Local Plan (2000) will be revised by the MBLP to deliver the development necessary to meet identified needs in accordance with the site allocations in draft MBLP policies and H1. In this instance the weight attached to ENV28 should be reduced due to the allocation of the site in the emerging Local Plan under policy H1 (50).
- 7.02 There would be some impact upon the landscape (and thus conflict with the countryside protection element of policy ENV28) but this would be limited and localised and is considered to result in low environmental harm. However, this is a factor that weighs against the development.
- 7.03 In favour of the development, the site is considered to be at a sustainable location adjacent the settlement boundary of Staplehurst in the Local Plan, which offers a good range of facilities and services. The works to the crossroads would mitigate the traffic impact of the developments cumulatively in the village and highway safety matters can be overcome. Improvements to the bus and train services within the village and a Travel Plan would be secured in accordance with the NPPF. Appropriate community infrastructure would be provided and affordable housing at 40%. Drainage issues have been fully considered and mitigation for the development could be achieved and secured by condition. There are no objections from the Environment Agency in terms of flooding or the LLFA in terms of surface water drainage. There are no ecology objections or any other matters that result in an objection to the development.
- 7.04 In accordance with advice in the NPPF, there are three dimensions to sustainable development giving rise to the need for the planning system to perform environmental, economic and social roles. It is considered that the development would provide economic benefits through delivering houses, associated construction jobs, and the likelihood of local expenditure (economic benefits commonly recognised by Inspectors at appeal). It is considered that there would be social benefits through providing much needed housing, including affordable housing, community infrastructure, and I do not consider the impact upon existing resident's amenity would be harmful. There would be some impact upon the landscape but this would be limited and localised and so is considered to result in low environmental harm. There would be no other significant harm to the environment. As such, it is considered that the development would perform well in terms of economic, social and environmental roles required under the NPPF.
- 7.05 All representations received on the application have been fully taken into account. Balancing matters, it is considered that the low level of landscape harm caused by the development is outweighed by the economic and social benefits of providing

much needed housing, including affordable housing, at a sustainable location, including at a location identified in the emerging Local Plan and Neighbourhood Plan. As such, it is considered that compliance with policy within the NPPF is sufficient grounds to depart from the adopted Local Plan and it is recommended that permission is granted subject to conditions and a legal agreement as set out below. Delegated powers are sought to finalise the terms of the legal agreement.

## **8.0 RECOMMENDATION**

**Subject to the prior completion of a legal agreement, in such terms as the Head of Legal Services may advise, to provide the following:**

- The provision of 40% affordable residential units within the application site.
- Financial contribution of £573,714.31 towards the Phase 2 of the Headcorn Primary School new expansion and site enlargement.
- Financial contribution of £95,920.15 towards the cost of acquiring additional land to accommodate the expansion of Headcorn Primary School.
- Financial contribution of £365,769.00 sought towards the Phase 1 expansion of Cornwallis school.
- Financial contribution of £264,365 towards train station improvements at Staplehurst Station.
- Financial contribution of £155,400 towards bus service enhancements to increase the frequency of services through Staplehurst village.
- Financial contribution of £68,415 towards junction improvements at the A229/Headcorn Road/Marden Road junction.
- Financial contribution of £1,596.78 towards youth equipment (supplied to Youth Workers and organisations covering Staplehurst).
- Financial contribution of £5678.88 is sought towards community learning and the cost of additional equipment required in the village.
- Financial contribution of £8,882.93 towards libraries to address the demand from the development towards additional bookstock (supplied to Staplehurst Library).
- Financial contribution of £157,068 towards extension, refurbishment and/or upgrade of Staplehurst Health Centre.
- Financial contribution of £14,568.75 towards the improvement of existing play facilities at the site known as Lime Trees.
- The provision of a Residential Travel Plan to aim to achieve a 10% reduction in development traffic flows covering a 10 year monitoring period, and to include monitoring costs.

- Annual monitoring and reporting of the effect of displaced traffic on highway routes surrounding the site (“rat-running” monitoring).
- A financial contribution towards suitable mitigation measures to combat any significant adverse traffic flow conditions as may be established by the monitoring exercise to be conducted.

**The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the imposition of the conditions set out below:**

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to any development above damp proof course level, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

3. The development shall be carried out in accordance with the boundary treatments as shown on drawing nos. 2580-65C and 2580-66C dated November 2015 and shall be implemented before the first occupation of the building(s) or land and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

4. No physical boundary treatments shall be erected along any part of the western boundary of the site (excluding any temporary structures during construction).

Reason: To ensure appropriate connectivity.

5. No development above damp proof course level shall take place until measures to prevent parking on landscaped/amenity areas and any measures to enclose ponds have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials.

Reason: To ensure a satisfactory appearance to the development and in the interest of safety.

6. Prior to any development above damp proof course level details of a scheme of landscaping, using indigenous species which shall include indications of all existing

trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of development in the form of a Tree Protection Plan undertaken by an appropriately qualified party in accordance with BS5837:2012 and a programme for the approved scheme's implementation and long term management, shall be submitted to and approved in writing by the Local Planning Authority.

The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment 2012 and shall include details of the repair and retention of existing hedgerows and tree lines within the site;

The implementation and long term management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details over the period specified;

Reason: To safeguard existing trees and hedges to be retained and ensure a satisfactory external appearance to the development and a high quality of design,

7. The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within ten years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory landscaped setting for the development.

8. No development shall take place until an Arboricultural method statement (AMS) in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the local planning authority. The AMS shall incorporate details appropriate to the construction operations being undertaken and shall include, but not be limited to, a working methodology/phasing for operations with the Root Protection Area (RPA) of any retained tree; consideration of the location and installation of services and drainage; a programme of site monitoring and arboricultural supervision if appropriate; a detailed schedule of precommencement tree works and; a revised Tree Protection Plan showing the design and location of fencing and/or ground protection necessary to ensure all retained trees can be successfully integrated within the permitted scheme.

No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of

barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

Reason: To ensure a satisfactory external appearance to the development.

9. No development shall take place (including any demolition, ground works, site clearance) until an ecological mitigation strategy has been submitted to and been approved in writing by the local planning authority. The content of the strategy shall accord with the principles of the Ecological Appraisal Rev A (and Appendices), as clarified in the Response to Kent County Council Ecological Advice Service and shall include the:

- a) Identification of ecological impacts, informed by updated ecological surveys where necessary;
- b) Purpose and ecological objectives for the proposed works;
- c) Practical measures (both physical measures and sensitive working practices) necessary to achieve stated objectives (may be provided as a set of method statements);
- d) Extent and location of proposed works, shown on appropriate scale maps and plans;
- e) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- f) Persons responsible for implementing the works, including times when specialist ecologists need to be present on site to oversee works;

The works shall be carried out in accordance with the approved details, unless varied by a European protected species mitigation licence subsequently issued by Natural England. In the interests of securing the maximum benefit for biodiversity, any variation of the agreed mitigation required by Natural England must not result in the reduction of the quality or quantity of mitigation/compensation provided.

Reason: In the interest of ecology and biodiversity enhancement.

10. No development shall take place until a Landscape and Ecological Design and Management Plan, in accordance with the principles contained in the Outline Landscape and Nature Conservation Management Plan Rev A, has been submitted to and been approved in writing by the local planning authority.

The Landscape and Ecological Design and Management Plan shall include the following:

- a) Purpose and conservation objectives for the proposed habitat creation and enhancements;
- b) Detailed design to achieve stated objectives;
- c) Extent and locations of proposed works on appropriate scale plans;
- d) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) Description and evaluation of features to be managed;
- f) Aims and measurable objectives of management;
- g) Appropriate management prescriptions for achieving aims and objectives;
- h) Preparation of a work schedule for the duration of the plan;

- i) Ongoing habitat and species monitoring provision against measurable objectives;
- j) Procedure for the identification, agreement and implementation of contingencies and/or remedial actions where the monitoring results show that the objectives are not being met;
- k) Details of the body/ies or organisation/s responsible for implementation of the plan.

The Landscape and Ecological Design and Management Plan shall also include details of the legal and funding mechanism by which the short and long-term implementation of the Management Plan will be secured by the developer with the management body responsible for its delivery. The approved Plan will be implemented in accordance with the approved details.

Reason: To ensure a high quality design, appearance and setting to the development, and to protect and enhance biodiversity.

11. The development shall not commence until details of measures to enhance biodiversity have been submitted to and approved in writing by the Local Planning Authority and shall include the following:
- a) Swift bricks and bat boxes integral to buildings
  - b) Bird and bat boxes throughout the site
  - c) Wildlife friendly gullies
  - d) Retention of cordwood on site

Reason: To protect and enhance biodiversity.

12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. The parking of vehicles of site operatives and visitors
  - ii. Loading and unloading of plant and materials
  - iii. Wheel washing facilities
  - iv. Measures to control the emission of dust and dirt during construction
  - v. A scheme for recycling/disposing of waste resulting from demolition and construction works
  - vi. Provision of measures to prevent the discharge of surface water onto the highway.

Reason: In the interest of highways safety.

13. Prior to the occupation of the building(s) hereby permitted, a minimum of one electric vehicle charging point shall be installed at every residential dwelling with dedicated off street parking, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

14. The vehicle parking spaces and/or garages and vehicle loading/unloading and turning facilities shown on the submitted plans shall be permanently retained for parking and turning and shall not be used for any other purpose.

Reason: In the interest of highways safety and parking provision.

15. No occupation of the development hereby permitted shall take place until the following off-site highways improvements have been made in full. Full details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority:

(a) Extension of the existing 30mph speed limit and the associated gateway treatment to the east along Headcorn Road.

(b) Provision of a new footpath / cycle path to the north of the site connecting to Fishers Road.

Reason: In the interests of highway safety.

16. The occupation of the development hereby permitted shall not commence until specific details of connections to the adjoining housing site including pedestrian and cycle links (in the event the adjoining housing site has been implemented), or a scheme of landscape following the principles of condition 15 (in the event that it has not) have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

Reason: To ensure appropriate connections and in the interested of visual amenity.

17. Details of foul water drainage, which shall include details of on-site drainage and off-site improvements to the local network, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water prior to the occupation of the development. The approved details shall be implemented in full prior to the first occupation of the development.

Reason: In the interest of pollution and flood prevention.

18. Development shall not commence until a detailed surface water drainage strategy for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based on the Flood Risk Assessment (November 2015) and Drainage Strategy Drawing No 14-030-008 (March 2016) prepared by C&A Consulting Engineers. It shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated with any offsite discharge limited to either QBAR or greenfield runoff rate as approved by the Local Planning Authority. The detailed drainage design will also provide details of any works on the existing drainage system, including ditches, proposed headwalls, and ponds to be approved by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions

19. Development shall not begin until a construction phasing plan of the surface water drainage scheme has been submitted to (and approved in writing by) the local

planning authority. This phasing plan must be coincident with the appropriate phases of development and must include:

- a) A description of any temporary works to provide for uninterrupted surface flow during construction within the existing drainage systems which cross the site; and,
- b) A description of erosion and sediment control measures to protect the capacity of the existing drainage system and ensure that water quality of the surface water flows which leave the site are not contaminated by sediment or other pollutants.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

20. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the drainage measures, including permeable pavement, ditches, ponds and all outfalls, have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

21. The development shall not commence until details of the proposed slab levels of the buildings and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development.

22. No building hereby permitted shall be occupied until details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter alia, details of measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: In the interest of residential amenity

23. Prior to the commencement of development above damp proof course level details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be

implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: To ensure an energy efficient form of development.

24. If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

d) Confirmation and evidence that the specified radon protection has been installed in applicable areas.

Reasons: In the interest of health and safety

25. Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units and the external noise levels in back garden and other relevant amenity areas will conform to the standard identified by BS 8233 2014, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reasons: In the interest of health and safety

26. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

27. No occupation of the development hereby permitted shall take place until details of a scheme for the preparation, laying out and equipping of the play/amenity area, and its on-going maintenance have been submitted to and approved in writing by the Local Planning Authority. The facility shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason: To provide open space to contribute to meeting the recreational needs of prospective occupiers.

28. The development hereby permitted shall be carried out in accordance with the following approved plans:

2580-10-A; dated 27.11.2015, 2580-11-D; dated 06.06.2016, 2580-12-C; dated 02.03.2016, 2580-13-B, 2580-14-B, 2580-15-B, 2580-16-B, 2580-17-B, 2580-18-B, 2580-19-B, 2580-20-B, 2580-21-B, 2580-22-B, 2580-23-B, 2580-24-B, 2580-25-B, 2580-26-B, 2580-27-B, 2580-31-B, 2580-32-B, 2580-34-B, 2580-35-B, 2580-37-B, 2580-38-B, 2580-39-B, 2580-41-B; dated 24.02.2016, 2580-28-A, 2580-29-A, 2580-30-A, 2580-33-A, 2580-36-A, 2580-42-A, 2580-43-A, 2580-44-A, 2580-45-A, 2580-46-A, 2580-47-A, 2580-48-A, 2580-57-A, 2580-59-A, 2580-60-A; dated 27.11.2015, 2580-49-C, 2580-50-C, 2580-51-C, 2580-52-C, 2580-53-C, 2580-54-C, 2580-55-C, 2580-56-C, 2580-58-C, 2580-61-C, 2580-62-C, 2580-63-C, 2580-64-C, 2580-65-C, 2580-66-C, 2580-67-C, 2580-68-C, 2580-69-C; dated 02.03.2016, 2580-70-D, 2580-71-C, 2580-72-A; dated 06.06.2016

And the following supporting documents:

Ecological Appraisal by Liz Lake Associates; dated November 2014, Liz Lake Associates Ecology Advise (ref: 15/510186; dated March 2016, Design and Access Statement by bdb; dated October 2015, Design and Access Statement by bdb; Addendum February 2016, Archaeological Desk Based Assessment and Hedgerow Survey by Cgms; dated November 2015, Flood Risk Assessment & Surface Water Drainage Strategy and Foul Drainage & Services Appraisal by C&A; dated November 2016, Geo-environmental Report by RSK; dated November 2016, Noise, Vibration & Air Quality Assessment dated November 2015 and Planning Statement by Judith Ashton Associates, Transport Assessment by C&A dated October 2015, Tree Survey, Arboricultural Impact Assessment dated 1 December 2015.

Reason: For the purpose of clarity and to ensure a satisfactory appearance to the development and a high quality of design.

## Planning Committee Report

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.